

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TOROMI RADEL WASHINGTON,

No. C 08-5603 WHA (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

MATHEW CATE, Director, CDC;
PAUL BERNAL, Santa Clara County
Judge; and J. PREMO, 6th Appellate
District Court of Appeal Judge,,

Defendants.

This is a civil rights action filed pro se by a prisoner. On December 30, 2008, the court notified plaintiff that his application for leave to proceed in forma pauperis ("IFP") was deficient because he had omitted page five of the form, the certificate of funds. A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Plaintiff was informed that if he did not either pay the fee or correct the IFP application's deficiencies within thirty days the case would be dismissed.

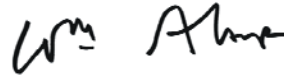
On January 27, 2009, plaintiff filed another application to proceed IFP, once again omitting page five. On February 2, 2009, he provided a new print-out of transactions in his prisoner account – although the court had never indicated any dissatisfaction with the printouts – attached to an incomplete and unsigned page five certificate of funds.

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Plaintiff has failed to comply with the order to provide a completed page five
“Certificate of Funds in Inmate Account.” Leave to proceed in forma pauperis (documents 2
and 5 on the docket) is **DENIED**. This case is **DISMISSED** without prejudice. *See* Fed. R.Civ.P.
41(b). The clerk shall close this file.

IT IS SO ORDERED.

Dated: February 23, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE